2nd Councilmanic District Anthony S. Braglio, Sr. Petitioner

1st Election District

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY * Case No. 94-166-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed for the subject property known as 5310 Dogwood Road, by its owner, Anthony S. Braglio, Sr. The Petitioner seeks relief from Section 409.G.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 47 parking spaces in lieu of the required 71 spaces for an existing tavern in a B.L. zone, in accordance with Petitioner's Exhibit 9.

Mr. Braglio appeared on behalf of the Petition and was represented by George Psoras, Jr., Esquire. Appearing as Protestants in the matter were Stephen and Mary Fleagle and Nancy Masters, nearby residents of the

Testimony revealed that the subject property, known as 5310 Dogwood Road, consists of 1.209 acres, more or less, excluding the paper street which runs through the rear of the site. Said property is zoned B.L. and is improved with a 2,882 sq.ft. tavern, known as Ye Olde Millstream, which has existed on the site for the past 20 years. The Petitioner, who has owned the property for the past 7 years, is desirous of adding a 14' x 48' addition to the existing building to expand the storage area and to locate the recreational area of the bar therein. Mr. Braglio testified that he would like to relocate two pool tables and possibly add two more pool tables to the proposed recreational area within the addition as well as add to existing storage space. Further testimony indicated the Petitioner is considering relocating a juke box, cigarette machine and drag racing machine to the proposed recreational area. At the hearing, I requested that Mr. Braglio submit a detailed floor plan of the proposed addition depicting the storage and recreational areas therein. Subsequent to the hearing, the Petitioner submitted a floor plan of the uses proposed, a copy of which shall be attached hereto and made a part hereof

As to the requested variance, Mr. Braglio testified that his tavern operation is not such that additional parking is necessary. He testified that the only time the parking lot is filled to its maximum capacity is when he throws his annual Christmas Party during which free oysters and food are offered to the public. At all other times during the year, there are always plenty of parking spaces available for patrons. Furthermore, Mr. Braglio testified that he does not wish to expand the seating area of the bar into the proposed addition. He merely wishes to relocate the recreational area which, he believes, will provide a better layout of the facility for his patrons.

Further testimony revealed that in order to provide additional parking, an existing rocky hill to the rear of the property will have to be excavated. This hillside presently represents a nice buffer between the tavern use and the adjacent community on top of the hill. Mr. Braglio further noted that the cost of excavating this hill would be expensive as well as unsightly.

Appearing in opposition to the Petitioner's request were Stephen and Mary Fleagle and Nancy Masters, nearby residents of the area. The Fleagles testified that they are concerned about the traffic and noise

- 2-

generated at closing time when patrons leave the subject property. They testified that on some occasions, they have been awakened by vehicles leaving the subject site and travelling down the road at high rates of speed. The Fleagles are also concerned that the proposed addition will be used to provide additional seating areas that will contribute to the noise

Ms. Nancy Masters appeared on behalf of the Franklintown Community Association, Inc. Ms. Masters is a Board member of that Association. She testified that her Association is extremely concerned over the possible disturbance of the steep and wooded hillside located to the rear of the subject site. Ms. Masters stated that her Association is supportive of the variance requested for the reason that they would not want to see the hillside excavated. The Association is also of the opinion that the proposed addition should not be utilized as a bar, stage or public seating area for patrons. A letter dated October 29, 1993 stipulating their posi-

zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 3-

currently generated by patrons at closing time.

tion was included in the file. An area variance may be granted where strict application of the

whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

BR SA

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.F. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the require ments from which the Petitioner seeks relief will anduly restrict the use of the land due to the special conditions unique to this particular parcei. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 67 day of December, 1993 that the Petition for Variance requesting relief from Section 409.G.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 4/ parking spaces in lieu of the required 71 spaces for an existing tavern in a B.L. zone, in accordance with Petitioner's Exhibit 9, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order

however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is

reversed, the relief granted herein shall be rescinded.

2) The proposed addition shall be limited to those uses described on the floor plan marked as Exhibit A, a copy of which has been attached hereto and made a part hereof. There shall be no change in such use without a Petition for Special Hearing to determine the appropriateness of same.

3) The proposed addition shall be constructed of the same or similar materials used on the existing build-

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> Deputy Zoning Commissioner for Baltimore County

TMK:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

ASTURE FOR F

(410) 887-4386

December 6, 1993

George Psoras, Jr., Esquire 608 Baltimore Avenue Towson, Maryland 21204

RE: PETITION FOR VARIANCE E/S Dogwood Road, 350' S of Powhattan Road (5310 Dogwood Road) 1st Election District - 2nd Councilmanic District Anthony S. Braglio, Sr. - Petitioner Case No. 94-166-A

Dear Mr. Psoras:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: Mr. & Mrs. Stephen Fleagle 5326 Dogwood Road, Baltimore, Md. 21207

Ms. Nancy Masters 1814 N. Forest Park Avenue, Baltimore, Md. 21207

People's Counsel

CEIVED FOR I

Petition for Variance
to the Zoning Commissioner of Baltimore County for the property located at 5310 DOGWOOD ROAD, BALTIMORE, MD 21207 which is presently suped BL This Patition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(e) of the property situate in Baltimore County and which is described in the description and plat attached

Vive do externily declare and affirm, under the panalities of parjury, that there are the

The undersigned, legal owner(e) or the property enturing in country and trivial to the hereto and made a part hereof, hereby petition for a Variance from Section(a) 409. GA2. To Price A TOTAL CT-UTPIONELLE SPIACES INLIEU OF THE REQUIRED 71 SPACES KEND TAUGIN (FRISTING) IN A BIL. Zowe.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or In order to acheive the additional parking spaces required by code, a cliff/hill would have to be excavated. The excavation would be extensive, involving the use of explosive devices/materials in order to move massive amounts of rock. These explosives pose a hazardous threat to the environment, as well as other property owners in the area.

Property is to be posted and advertised as prescribed by Zoning Regulations. i, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Saltimore County adopted pursuant to the Zoning Law for Saltimore County.

mant Purchaser/Lesses:	Legal Owner(s):
/A	Anthony Scott Bracilo, Sr
e or Print Name)	(Type or Print Name)
	Anthony Scott Braglio, Sr. (Type or Print Name) Anthony Scott Buylin Sn. Bignature
765	(Type or Print Name)
State Epocode	
nery for Petitioner: 'A	410-750-9046 5310 Dogwood Road 410-265-8224
e or Print Name)	Address Photos Ho.
	Baltimore, MD 21207
	tiams. Address and phone number of representative to be contacted.
Phone No.	Anthony Scott Braglio, Sr.
	5310 Dogwood Roed 410-750-9046 Reltimore. ND 21207 418-281-8228
	APRIL VAL GRAY
	ESTIMATED LENGTH OF HEALTHO
	the following dates
	REPUBLISHED BY SOLA DATE 10-15-45

74-166-A

LEGAL DESCRIPTION

Being a portion of Spring St. (30 feet wide), as shown on a plat of the Town of Franklin, dated May 1885, and recorded among the land records for Baltimore County, Maryland in Plat Book J.W.S. 2 Part 1-25.

Beginning for the same at a 3/8" capped iron pin now set at the intersection of the East side of Spring St. (30 feet wide), and the South side of Powhattan St. (40 feet wide); running thence leaving Powhattan St., and binding on the East side of Spring St., with bearings referred to the Baltimore County Metropolitan District Grid System, as now surveyed:

1) South 14 -58'-07" East a distance of 450.00 feet to a capped 3/8" iron pin now set; said pin being at the Northeast corner of said Spring St. and Allison St. (30 feet wide); running thence, leaving the East side of Spring St., and binding on the North side of said Allison

2) South 75 -01'-53" West a distance of 30.00 feet to the Northwest corner of said two streets; running thence, leaving the North side of Allison St., and binding on the West side of said Spring St.;

3) North 14 -58'-07" West a distance of 450.00 feet to a point; said point being opposite the intersection of the South side of Powhattan St., and the Bast side of Spring St.; thence leaving the West side of Spring St. and crossing said 30 foot right-of-way;

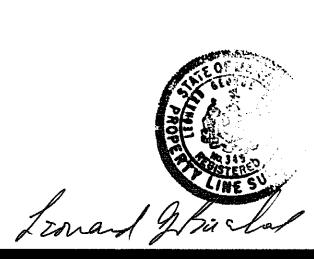
4) North 75 -01'-53" East a distance of 30.00 feet to the point of beginning. Containing 0.3099 acres of land more or less.

ZONING DESCRIPTION

Beginning at a point on the east side of Dogwood Rd. which is 40 feet wide at a distance of 350 feet south of Powhattan St. wwich is 40 feet wide. Thence the following courses and distances:

1)North 75°-01'-53" East 130.00 feet; 2)North 14°-58'-07" West 55.00 feet; 3)South 50°-58'-07" East 220.00 feet; 4) South 50-42'-58" East 275.60 feet; 5)South 75°-01'-53" West 115.00 feet; 6)North 14°-58'-07" West 240.00 feet; 7)South 75°-01'-53" West 100.00feet;

8)North 14° -58'-02" West 120.00 feet to the place of beginning as recorded in Liber 8738, Folio 014, containing 1.209 acres of land more or less. Also being known as # 5310 Dogwood Rd. and located in the 1st election district of Baltimore County,



(410) 887-3353

Baltimore County Government Office of Zoning Administration and Development Management



Towson, MD 21204

November 9, 1993

Mr. Anthony S. Braglio, Sr. 5210 Dogwood Road Baltimore, Maryland 21207

> RE: Case No. 94-166-A, Item No. 167 Petitioner: Anthony S. Braglio, Sr. Petition for Variance

Dear Mr. Braglio:

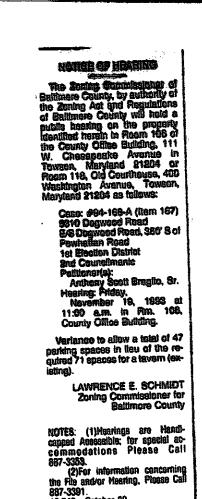
111 West Chesapeake Avenue

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 15, 1993, and a hearing was scheduled accordingly.

The following comments are related <u>only to the filing of future</u> <u>zoning petitions</u> and are simed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on $\frac{|0|24}{199}$

THE JEFFERSONIAN

Account: R-001-6150

111 West Chesapeake Avenue

ANTHONYS. BILACLIC SA. 531C Decucco Remo.

020 VANIENCE. \$250 050 1516 N. \$35

92402#0062NTCHRC \$285.00 Please Make Checks Payable Tet Beltimore County



O. James Lighthizer Hal Kassoff Administrator

10-26-93

Ms. Charlotte Minton Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

DAVID RAMSEY, ACTING CHIEF

Re: SALIU. C....
Item No.: + 167 (TRA)

My telephone number is ____

October 28, 1993 Issue - Jeffersonian Please foward billing to: Anthony Scott Braglio, Sr.

5310 Dogwood Road Baltimore, Maryland 21207 410-750-9046

TO: PUTUKENT PUBLISHING COMPANY

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows

CASE NUMBER: 94-166-A (Item 167) 5310 Dogwood Road E/S Dogwood Road, 350' S of Powhattan Road 1st Election District - 2nd Councilmanic Petitioner(s): Anthony Scott Braglio, Sr. HEARING: FRIDAY, NOVEMBER 19, 1993 at 11:00 a.m. in Rm. 106, County Office Building.

Variance to allow a total of 47 parking spaces in lieu of the required 71 spaces for a tavern (existing).

LAWRENCE E. SCHRIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887 3353

NOTICE OF HEAPING

The Zoning Commissioner of Beltimore County, by authority of the Zoning Act and Requisitions of Resimore County, will hold a public hearing on the property identified herein in Rona 105 of the County Office Building, 111 W. Chesspeake Avenue in Transco, Maryland 212/4

Room 118, Old Courthouse, 400 Mashington Avenue, Townson, Maryland 21274 as follows:

CASE RRBER: 94-166-A (Item 167) 5310 Dogwood Road E/S Dogwood Road, 350° S of Promettan Road 1st Election District - 2nd Councilmanic Petitioner(m): Anthony Scott Bragilo, Sr. HEARING: PRIDAY, HOVEMBER 19, 1993 at 11:00 a.m. in Rm. 106, County Office Building.

Variance to allow a total of 47 parking spaces in lieu of the required /1 spaces for a tavern (existing).

cc: Anthony Scott Braglio, St

111 West Chesapeake Avenue

OCTOBER 22, 1993

Towson, MD 21204

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVERUE ON THE HEARING DATE. (2) HEARINGS ARE HAMDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (3) FOR IMPORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391

Printed with Saybean Int.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration and Development Management

DATE: November 1, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 144, 168, 169, 172, 175, 176 and 177.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

MAC. 144/PROPE/RAC1

Baltimore County Government Department of Permits and Licenses

OBER 25, 1993

(410) 887-3610

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

111 West Chesapeake Avenue

Towson, MD 21204

ZONING AGENDA: MEETING OF OCTOBER 25, 1993

Owner: John L. Gross, Sr. and Helen Gross Location: #926 Wampler Road Item No.: 158 (JRF/JCM)

Owner: Joseph E. Chenowith & Gloria J. Chenowith Location: #3731 Grave Run Road Item No.: 162 (RT)

Owner: Cedarside Farm Joint Venture Location: Lot 39, Cedarside Farm Item No.: 163 (RT)

Owner: Edward A. Klingenstein, Jr. & Irene E. Klingenstein Location: Lot 1, Middleborough Item No.: 164 (JLL)

Owner: Thomas J. Lasek Location: #2240 Vailthorn Road Item No.: * 165 (JRF)

Owner: Michael E. Krompholz & Prigita M. Krompholz Location: #1315 Denby Road Item No.: 166 (JJS)

Owner: Anthony Scott Braglio, Sr. Location: #5310 Dogwood Road Item No.: (JRA)

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Approved Robe VE Sure wid Will Pire Prevention Bureau 88°) Y880

ZENING HEARING CHECKLIST

This shocklist is provided to you, the your interpation mig, and is not to be considered local advice.

First, and most importantly: You must understand that the hearing you have requested is a quast-judicial hearing and you are responsible for meeting the burden of law required by the Saltimore County Aring Scanlations (S.C.A.S.). A fudicial hearing is an adversary process and, therefore there may be opposition to your request. Puring a judicial hearing, the parties will be dermitted to testify, present cyldence and cross examine althosess. Either the Count Commissioner on the Deputy (Cross Commissioner will rule on the exidence and restlatony to determine whether or not the potition will be granted.

geoind: You must inderstand that you are permitted to have representation by an attorney of your choice. You are not required to have in attorney, but it is recommended that you consider obtaining losal representation. But, if you are accomparated, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the Baltimore County Coning Securiations.

Fourth: No employee of the Baltimore County Office of Coning

Fourth: No employee of the Barrimono doubty of the of Lemins Administration and Development Management may provide 'eda' advice to applie. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the 'oning Commissioner bendered after the a strong required public hearing as rensidered dispositive in matters relating to the interpretation of the B.J.J.R.

Even though there may not be appeartion in a diven case, your request may denied.

For fartner intermation or to make an appointment, plates contact:

Bactimore County Office of Loning
Administration & Tevelopment Management
Development Control
181 West Thesapeake Avenue
Room 123
Towson, MD 11104
Telephone: 383-3391

Non-Residential Properties Variances
Special Exceptions
Use Permits
Special Hearings

STORAGE

STORAGE

PROBLEM STORAGE

EXISTING BAR

AREA

AREA

ORDER RECEIVED FILING

LAW OFFICES

DENNIS J. PSORAS, CHTD

608 BALTIMORE AVENUE TOWSON, MARYLAND 21204 (410) 821-7070 FAX (410) 321 8906

1055 INGLE: IDE AVENUE CATONSVILLE, MARYLAND 21228 (410) 788-2010 FAX (410) 788-2012

HAND-DELIVERED

DENNIS J. PSORAS

GEORGE PSORAS, JR.

GREGORY J. PSORAS

November 23, 1993

Timothy M. Kotroco, Esquire Deputy Zoning Commissioner Room 113 Old Courthouse 400 Washington Avenue Towson, Maryland 21204

> Re: Case No.: 94-166-A, Item No. 167 Petitioner: Anthony S. Braglio, Sr. Petition For Variance

Dear Mr. Kotroco:

Pursuant to your request at the hearing conducted on November 19, 1993, I am enclosing herein a diagram prepared by my client indicating the proposed usage of the addition and size dimensions for your review and consideration. My client wishes to reserve the right to re-position the recreation/vending machines according to usage and need in the outlined recreation area. Additionally, if in the event Mr. Braglio determines that more storage is necessary he shall have the right to re-designate portions of the recreation area for storage purposes.

If any additional information is needed please do not hesitate to

Very truly yours,
GEORGE PSORAS, JR.

GP,Jr./cm
Enclosure

Dear Members of Franklintows over services and Nesabbore in the common or

We Ve Olde Mill Stream Inn

I have great concerning to the polynomial of a mentioned property

His property markings infringe in my projective in the brought this to Mr. Bray... maybe to the following the care of this matter. As of this date of this matter. As of this date of the control to knowledge, has been done to remely the second does not have Braglio would like to know what he been and does not have

2. Since our property lines at the time to the him property, if he would go forward with the proposed plane our entire hill would warn living the least to the proposed expansion and ranott. This proposed expansional he environment, y disastering the life, we will assume the life that proposed expansion to the life stating the hillside cannot be developed for the purpose.

3. I am aware that this tavers is coned B.L. for a business. I doubt that him collected on the modern of the finance is in general a rowdy crowd. We have had his crowd model the woods and onto several properties. If the forther expension ever cones to fruition either by the hand of Mr. Braglio or future owners it will retempted and come. It will retempted and come.

Therefore as much as I support now request the control of the expension of expension the existing planned expension

Frank Stantons

Questions regarding the proposed expansion of Ye Olde Mill Stream Inn

- 1. Will the addition to the present building be used exclusively for storage?
- 2. What's to stop the owner from expanding his seating capacity as he adds an addition?
- Will the addition be done in a professional and workmanlike manner, with the materials and details fitting the existing building?
 What recourse will the Franklintown Association have if the owner

Mark Plogman

11/3/93 AJ. G5
Case File

10-30-93
To Mr. Jablon, Boning administration + Development

From The Franklintown Community association/Nancy 7. Masters

Regrest of owner Scott Braglio for variance.

To brief storage space (14'x48') without providing

additional parking

Item #67, Case # 94 166 A

Mr. David Breen, Community Planning, directed us to send the enclosed community response to you.

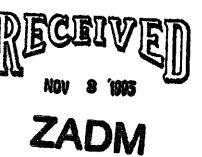
Mancy 7. Masters

Contact Person and Member of the Board

Frankling Community Association

1814 Morth Forest Park Ave.

21207



To Mr. Davier Breen, Planning Department, Baltimore County

Re Proposed varianis to allow yr Oldo Mubertream Day to bruild an addition; (about 14 × 48) to their existing building without providing additional parking

We are unanimously opposed to any disturbance of the steep and wooded hillsede to the reas of the Millstoon and adjacent properties forfany kind of construction, for reasonathal include the following:

a) The county is already severally challenged by the runoff and ground water from their hell, having bruit numerous storm drain facilities along their stratch of Dogwood Road to keep water from profing and freezing and destroying the pavement. This is a long hill, known as window Devrace, and cresto at window Mill Road 2/2 blocks uphill from Dogwood.

bi) Dura historic homes on the adjacent uphill properties could be damaged by evosion and settling.

We would support the variance with the provise that the variance stipulate

Mr. David Drein.

The per our recent telephone conversation, I am enclosing a statement from the Franklustium Community Association Brack, as well as comments of other residents, on the matter of the variance requested by Mr. Braylis for bruilling a seitenal storage space as you Olly Mullotream Inn at 5310 Dogwood Road.

My understanding is that Mo. Crawford, in Paragraph 3. of her letter, in referring to the expansion of the parking lot as drawn on the plan that was circulated in the neighborhood, and not to the 14'x 45' addition to the builting to the Commenty award her agreeting to the Commenty awards or statement.

Thank you for your care of our neighborhood on this meter.

10-29.50

PETITION FOR PARKING VARIANCE PLEASE PRINT CLEARLY CITIZEN SIGN-IN SHEET We, the undersigned acknowledge and accept that Anthony Scott Braglio, known as owner of 5310 Dogwood Road, has IN THE MATTER OF applied to the zoning commission of Baltimore County for a Stephen + Mary Fleagle 5326 Dogwood Rd. Balt. 2/207 variance to make an exception regarding the required number THE CLOSING OF A POPULON or parking spaces in accordance with the square footage of the building, including the proposed addition. SPRING STPEET (1st Election District) We, the undersigned have no objections to the proposed addition or the proposed parking variance. As residentical property owners in the immediate Baltimore County area for a D.R. 5.5 period of five (5) years or more, our signatures below contirm that Anthony Scott Braglio has our support and approval to pursue the construction of the addition at 5310 Pogwood Road, as proposed. WHEREAS, the Petationer, Anthony Scott Bomplie, Or. petitionelly, Furthermore, the business located at 5310 Dogwood Road has been owned and operated by Anthony Scott Braglio since 1987 close a portion of Spring Street, in the lot Election District of PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET in a reputable business-like manner with respect and consideration of our property and our interests as resident Baltimore County, Maryland; and property owners in the immediate area. MT. VERNON WHEREAS, a Notice of said closing was published in a local 608 Baltimore Ave. Baltimore County newspaper for three successive weeks giving antice by ADDRESS TOWCON, MD 21204 publication of the intention to close said road; and SCOT DRAGIO 3014 HERY Wood Rd WHEREAS, the Petitioner has caused notice to be perved on all woodslock mil all63 5504 DOS Wood &1 abutting property owners; and WHEREAS, a hearing as set forth in the advertisement intervisitors referred to was held on Tuesday, September 28, 1993, at 19:55 A.M. E. 5500 Dozwood Rd the Office of the County Attorney, Second Floor, Old Courtnesse, 5327 22 june & Kd Towson, Maryland, for the purpose of receiving objections; and WHERFAS, the County Hearing Officer has found that a postion of 1300 aleganial Rd Spring Street is no longer necessary for public travel. 5.45 Elle His 1900 NOW, THEREFORE, it is this 1/2" day of Neverber. , 1997, by 1921 dets Freder 21207 is us C, Malion ledo D.R. 16 Baltimore County, Maryland, ORDERED, that the hereinbelow described postion of Spring Street and as shown on attached Exhibit A and made a part hereof, be and the same is hereby closed as follows: BM-CNS D.R. 3.5 and pulling (1) that the making states of the burets described property to so-classified, printering again. 2000 to 66 At 14 (b) Change in neighborhood fast to the south is a count institus gazage-assertes etation. observation leads one to believe that this operation is most of a gazage suther than the ordinary service station. In g he neighborhood recently, it was retired that approxima yero lined up on both sides of the soud apparently waith story, is a marrow strip of land busdesod by a stream. Maccast to Daywood Road. Just merces Security Boulevel I, or we, agree to pay expenses of above re-classification and/or Special Enception advertising 100 fact of the subject property there is correctly being a posting, etc., upon filing of this potition, and further agree to and are to be bound by the scaling This case has an interesting history. The t this tract in February, 1962 at which time it was somed on When the new soning map was adopted in the latter partial soming was changed from BL to R.-t., and it is unfortunate Petitioner was unaware the map was adopted to the detri proporty rights. In January 1963, the Politicust cought t property reclassified from an R-6 nume to a RL some but if was desired by the Zoning Commissioner. The Soning Con-denial was upheld by the Board of Appeals on March 4. 19 Address & F. S. S. Lat. Com & I.A. Dagrood Road in general houses many fine to when one approaches the neighborhood of the subject property owned by the Publisher), and easterpass leading from Forest Fark Avenue to implemble can hardly emecure of leaving this particular continuity of Market and the second s required by the Zoning Law of Baltimore County, in two newspapers of general chemistics through After reviewing the testimony and exhibite.

Commissioner feels the Petitioner has not only slight est shown substantial charge in the area, and for these reason set Baltimore County, that property be posted, and that the public houring be had before the Zoning STREET BEER & Process & College er kann er i gjerge forske Mennemen forske for

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DO ALENE NOTES VICHALTY MAP 7:01 Hts I Arra 1209 Ac + Gar no warny -Spring Ala.) 2 Zening Bt /map ny /-ty Excapped Pin Set WALNUT ST. (20' WIDE) 3 Owner - Anthony Scott Brogold St. 4 Tex Account # 01 19 11777 5 Deed Ruf Liber 886 Folia 6.4 S Tax Map 95 Grd 10 Mores 41. 7. Camus Tract 40:2 8 Ragional Flanning () of 39-8 9 Watershed Det 26 10 Sub-Seasesting 63 H This property is not located in the Critical Boy Aces 12. Coordinates and bearings, are payor on Barto Ca. The years with the service 10370 N. 5(69.44 W) 2334 (80) X 4520 - NI 2654 37 - W 27728 33 13. 是1241的市、农场市、1 14 Counsilmatic Dist. 2 15 Parking Spaces ragumed 71 (3657 1 800 × 70) Expanses provided 47 16. Zoning variance #\$1.19184. allaning 18 instead of 74 parking species Dia toward ramed for construction of now towers in 1973 17. Pravious Commercial Fermit for existing bldg. sirea 1973. ... H 14-58-07" W YE OLDE MILLSTREAM 18. All signs comply with section 4-13 of * 5310 Support Pin Sat J BC.Z.R. and all rening policies 2862 SOFT. SPRING ST. (30'WIDE) 19. Floor area ratio 0.0675 (355716+ 52,6640) 17 5 14:58:07"E W 11 120,00 ... @ Cappad Pin Sat 41 Tournaras America Zoning R.O. Walpart P. & Judoth A. Scott Braglio Harden 6532 ~ 570 9100 - 547 EXHIBIT NO. PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE 5310 DOGWOOD RD. 5cala: | "= 30" Oct. 1913